

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

KEVIN LINDKE,

Plaintiff,

Case No. 19-cv-11905

Hon. Matthew F. Leitman

v.

HON. CYNTHIA A. LANE, *et al.*,

Defendants.

/

ORDER ON STATUS CONFERENCE

On December 22, 2020, the Court held an on-the-record video status conference with counsel for all parties in this action. For the reasons explained during the status conference, **IT IS HEREBY ORDERED** as follows:

- By no later than **February 1, 2020**, Plaintiff Kevin Lindke shall file a supplemental brief that explains why the Court should not stay this case pending a decision by the Michigan Supreme Court in connection with his currently pending Application for Leave to Appeal in *TT v. KL*, Michigan Supreme Court Case No. 162348. (*See* Notice of State Court Appeal, ECF No. 64.) In Lindke's supplemental filing, Lindke may also argue that the Court should certify a question to the Michigan Supreme Court regarding whether the Michigan PPO statute at issue in

this action permits Michigan trial courts to issue the type of PPO that Lindke challenges in this action.

- Defendants shall file a response to Lindke's supplemental brief by no later than **March 1, 2020**.
- On December 8, 2020, the Court issued a briefing schedule for a motion that Lindke wished to file asking the Court to consolidate this action and a second action that Lindke has filed in this Court, *Lindke v. Tomlinson*, E.D. Mich. Case No. 20-cv-12857 (Cox, J.). (See Order, ECF No. 63.) The Court amends that briefing schedule as follows: Lindke shall file his motion to consolidate by no later than **December 28, 2020**. Defendants may file a response to Lindke's motion to consolidate by no later than **January 11, 2021**. Lindke may file a reply by no later than **January 25, 2021**. In light of this revised briefing schedule, Lindke's motion for an extension of time to file his motion to consolidate (*see* Mot., ECF No. 66) is **TERMINATED AS MOOT**.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: December 22, 2020

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on December 22, 2020, by electronic means and/or ordinary mail.

s/Holly A. Monda

Case Manager

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